

## Remarks

## Specification:

The disclosure is objected to because the Examiner states that it is hard to understand that "the second pulse shaper 214 generates a second baseband signal based on a second PN code stored in the second PN memory 210" as disclosed on page 6, lines 8-9. The Examiner questions how can the second PN code alone generate the second baseband signal?

The Applicants point out that *any* PN sequence is by definition a baseband signal. Additionally the output 210A of second PN memory 210 is *not* modulated by transmitted data. The output 210A of second PN memory 210 is a baseband signal (a PN sequence) used as a time reference, transmitted on a QPSK channel orthogonal to the modulated-data signal produced by cyclical shifter 206. The receiver uses the time difference between the 2nd PN sequence and the cyclically shifted 1st PN sequence to demodulate the transmitted data. This occurs in time comparer 332 and relative shift to bit pattern decoder 334 of FIG. 3.

## Double Patenting:

Claims 1, 2, 8, 18, 27, and 38 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 4 of Patent No. 6,519,275. In response a terminal disclaimer is being filed to eliminate this rejection.

## In Summary:

The only rejection left in the application is the double-patenting rejection over co-pending application 10/198712. Because of this, the present application should be allowed to issue, with co-pending application 10/198712 receiving a double-patenting rejection.

Finally, please charge any fees (including extension of time fees and the terminal disclaimer fee) or credit overpayment to Deposit Account No. 502117.

Respectfully Submitted,  
Callaway, ET AL.

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